

Notice
Of
Rulemaking Hearing

Department of Commerce and Insurance
Division of Regulatory Boards

There will be a hearing before the Commissioner of Commerce and Insurance or her designee to consider the promulgation of rules and amendments to rules pursuant to Tenn. Code Ann. § 68-115-207. The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tenn. Code Ann. § 4-5-204, and will take place in room 640 on the 6th floor of the Davy Crockett Tower, located at 500 James Robertson Parkway in Nashville, Tennessee at 2:00 p.m. (Central Time) on October 18, 2004.

Any individuals with disabilities who wish to participate in these proceedings (or to review these filings) should contact the Department of Commerce and Insurance to discuss any auxiliary aids or services needed to facilitate such participation. Such initial contact may be made no less than ten (10) days prior to the scheduled meeting date (or the date the party intends to review such filings) to allow time for the Department to determine how it may reasonably provide such aid or service. Initial contact may be made with Don Coleman, the Department's ADA Coordinator, at 500 James Robertson Parkway, 5th Floor, Nashville, Tennessee 37243 at (615) 741-0481.

For a copy of the entire text of this Notice of Rulemaking Hearing, contact Dan Kelly, Director of the Boxing and Racing Program, at 500 James Robertson Parkway, Davy Crockett Tower, 2nd Floor, Nashville, Tennessee 37243, telephone (615) 532-0443.

Substance of Proposed Rules

Chapter 0780-5-1
Professional Boxing

Amendments

Paragraph (1) of rule 0780-5-1-.06 Ring is amended by deleting the text of paragraph (1) in its entirety and substituting the following language so that, as amended, paragraph (1) of rule 0780-5-1-.06 shall read:

- (1) The ring shall not be less than sixteen (16) nor more than twenty-four (24) feet square within the ropes. The floor of the ring shall extend not less than sixteen (16) inches nor more than two (2) feet beyond the ropes on all sides of the ring. Such floor shall be padded with a one (1) inch layer of Ensolite (or the equivalent)

placed over a one (1) inch base of building board or other suitable material. The padding shall be covered with canvas, duck, or similar material tightly stretched and laced securely in place under the apron.

Authority: Tenn. Code Ann. § 68-115-207.

Paragraph (4) of rule 0780-5-1-.13 Weigh-in is amended by deleting the text of paragraph (4) in its entirety and substituting the following language so that, as amended, paragraph (4) of rule 0780-5-1-.13 shall read:

- (4) All weigh-ins shall be under the supervision and control of the Director and/or his or her designee.

Authority: Tenn. Code Ann. § 68-115-207.

Paragraph (1) of rule 0780-5-1-.16 Timekeeper is amended by deleting the text of paragraph (1) in its entirety and substituting the following language so that, as amended, paragraph (1) of rule 0780-5-1-.16 shall read:

- (1) At all bouts there shall be a licensed timekeeper who possesses a whistle and/or some other sound device and an accurate stopwatch. The timekeeper shall be seated outside the ring close to the sound device required by rule 0780-5-1-.07.

Authority: Tenn. Code Ann. § 68-115-207.

Paragraph (1) of rule 0780-5-1-.21 No Contest is amended by deleting the text of paragraph (1) in its entirety and substituting the following language so that, as amended, paragraph (1) of rule 0780-5-1-.21 shall read:

- (1) If the stoppage of a bout is attributable to any cause other than legal blows (including injuries resulting therefrom), disqualification, or retirement, such bout:
 - (a) will be ruled a "no contest", if the stoppage occurs before the end of the third (3rd) round; or
 - (b) will be decided by the totals on the scorecards, if the stoppage occurs after the start of the fourth (4th) round.

Authority: Tenn. Code Ann. § 68-115-207.

Paragraph (1) of rule 0780-5-1-.25 Time Limitations is amended by deleting the text of paragraph (1) in its entirety and substituting the following language so that, as amended, paragraph (1) of rule 0780-5-1-.25 shall read:

- (1) No bout shall exceed twelve (12) rounds of not more than three (3) minutes each in length. There shall be a rest period of one (1) minute between consecutive rounds.

Authority: Tenn. Code Ann. § 68-115-207.

Paragraph (2) of rule 0780-5-1-.25 Time Limitations is amended by deleting the text of paragraph (2) in its entirety and substituting the following language so that, as amended, paragraph (2) of rule 0780-5-1-.25 shall read:

- (2) The number of days which must elapse before a boxer who has competed anywhere in a bout may participate in another bout shall be as follows:

	Length of Bout (In scheduled rounds)	Required Interval (in days)
(a)	4 or less	2
(b)	5 - 9	5
(c)	10 - 12	7

Authority: Tenn. Code Ann. § 68-115-207.

Paragraph (5) of rule 0780-5-1-.26 Responsibilities of Promoter is amended by deleting the text of paragraph (5) in its entirety and substituting the following language so that, as amended, paragraph (5) of rule 0780-5-1-.26 shall read:

- (5) No person may arrange, promote, organize, or produce a professional boxing match without providing health insurance for each boxer to provide medical coverage for any injuries sustained in the match. The minimum liability coverage shall not be less than ten thousand dollars (\$10,000).

Authority: Tenn. Code Ann. § 68-115-207.

Paragraph (1) of rule 0780-5-1-.28 Contracts is amended by deleting the text of paragraph (1) in its entirety and substituting the following language so that, as amended, paragraph (1) of rule 0780-5-1-.28 shall read:

- (1) Every contract for the services of a boxer in any bout in this State shall be in writing and:
 - (a) include a term incorporating by reference the statutes and rules governing professional boxing in Tennessee;
 - (b) contain no other terms in conflict with such statutes or rules;
 and

- (c) be available for review by the Director at any reasonable time upon request.

Authority: Tenn. Code Ann. § 68-115-207.

Paragraph (1) of rule 0780-5-1-.32 Foul Related Injuries is amended by deleting the text of paragraph (1) in its entirety and substituting the following language so that, as amended, paragraph (1) of rule 0780-5-1-.32 shall read:

- (1) If a boxer is injured by a foul (for which the referee does not disqualify his opponent), both boxers may be seated in their corners for a period not to exceed five (5) minutes. During such period:
 - (a) The boxers shall be neither attended nor talked to by their seconds; and
 - (b) The ringside physician shall examine the fouled boxer and, in his discretion, the other boxer.
- (2) Should the fouled boxer be unable to continue after the rest period, the bout shall be scored in accordance with rule 0780-5-1-.21.

Authority: Tenn. Code Ann. § 68-115-207.

Chapter 0780-5-3 Toughman Contests

Repeals

Chapter 0780-5-3 Toughman Contests is repealed in its entirety.

Authority: 2004 Tenn. Pub. Acts ch. 930, Tenn. Code Ann. § 68-115-207.

I certify that this is an accurate and complete representation of the intent and scope of the rulemaking proposed by the Commissioner of Commerce and Insurance.

Scott M. Ledford
Staff Attorney
Department of Commerce and Insurance

Subscribed and sworn to before me this ____st day of _____, 2004.

Notary Public

My Commission expires on the ____th day of _____, 200__

Riley C. Darnell
Secretary of State of Tennessee

By:_____